

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ELISA PEREZ,

Plaintiff,

v.

SECOND ROUND SUB, LLC,

Defendant.

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CASE NO. 20-1904

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that on this date, Second Round Sub, LLC hereby removes the above-captioned matter to this Court from the Court of Common Pleas of Allegheny County, Pennsylvania and in support thereof avers as follows:

1. Second Round is a defendant in a civil action originally commenced on or about August 28, 2020 in the Court of Common Pleas of Allegheny County, Pennsylvania titled *Elisa Perez v. Second Round Sub, LLC* and docketed to Case No. GD-20-009293.

2. The removal is timely under 28 U.S.C. § 1446(b). Plaintiff served Second Round with both her Praecipe for Writ of Summons and her Complaint by correspondence of November 9, 2020.

3. Pursuant to 28 U.S.C. § 1446, attached here as Exhibits A and B are copies of all process, pleadings, and orders filed in the state court action.

4. The District Court¹ has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, in that Plaintiff has filed claims against Second Round alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*

5. On this date, Second Round has provided notice of this Removal to counsel for Plaintiff and to the Court of Common Pleas of Allegheny County, Pennsylvania.

WHEREFORE, Defendant Second Round Sub, LLC respectfully removes this case to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

MESSER STRICKLER, LTD.

By: /s/ Lauren M. Burnette
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Counsel for Defendant

Dated: December 8, 2020

¹ Although Plaintiff filed this lawsuit in Allegheny County, thus requiring Second Round to remove the case to this Court, Plaintiff's Complaint contains no facts to establish the propriety of venue in Allegheny County. Second Round has filed Preliminary Objections as to venue. *See* Exhibit B.

CERTIFICATE OF SERVICE

I certify that on December 8, 2020, a true copy of the foregoing document was served as follows:

Via Email and U.S. Mail, Postage Prepaid

Joshua P. Ward
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Counsel for Plaintiff

Via Electronic Filing

Court of Common Pleas
Allegheny County
414 Grant St.
Pittsburgh, PA 15219

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